

30 Jun 2006

BALTIMORE DISTRICT, CORPS OF ENGINEERS
SWANCC No Jurisdiction Actions
Between 06/01/2006 and 06/30/2006

Page: 1

| Action ID | PM | No Juris Dt | Project Name |
|-----------|---------|-------------|--|
| ===== | ===== | ===== | ===== |
| 200601882 | ELLIOTT | 28 Jun 2006 | WISNIEWSKIJR. PROPERTY/SPERRY HOMES, LLC |

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| | |
|--------|---|
| TOTAL: | 1 |
|--------|---|

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Apr 2004

June 06

INFORMATION SHEET
DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS
RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK
COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE:
FILE NUMBER:

Baltimore
JD-200601882-13-6-28-06

REGULATORY PROJECT MANAGER:

Amy Elliott

Date: June 28, 2006

PROJECT REVIEW/DETERMINATION COMPLETED:

In the office Yes

Date: April 11, 2006

At the project site Yes

Date: April 13, 2006

PROJECT LOCATION INFORMATION:

State:

Pennsylvania

County:

Lackawanna

Center coordinates of site by latitude & longitudinal coordinates:

Lat 41-19-26, Long 75-31-02

Approximate size of site/property (including uplands & in acres):

51.6 acres

Name of waterway or watershed:

N/A

SITE CONDITIONS:

| Type of aquatic resource ¹ | 0-1 ac | 1-3 ac | 3-5 ac | 5-10 ac | 10-25 ac | 25-50 ac | > 50 ac | Linear feet | Unknown |
|---------------------------------------|--------|--------|--------|---------|----------|----------|---------|-------------|---------|
| Lake | | | | | | | | | |
| River | | | | | | | | | |
| Stream | | | | | | | | 300 | |
| Dry Wash | | | | | | | | | |
| Mudflat | | | | | | | | | |
| Sandflat | | | | | | | | | |
| Wetlands | | | | | | | | | |
| Slough | | | | | | | | | |
| Prairie pothole | | | | | | | | | |
| Wet meadow | | | | | | | | | |
| Playa lake | | | | | | | | | |
| Vernal pool | | | | | | | | | |
| Natural pond | | | | | | | | | |
| Other water (identify type) | | | | | | | | | |

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

| Migratory Bird Rule Factors ¹ : | If Known | | If Unknown Use Best Professional Judgment | | |
|---|----------|----|--|-----------------------|--------------------------------|
| | Yes | No | Predicted to Occur | Not Expected to Occur | Not Able To Make Determination |
| Is or would be used as habitat for birds protected by Migratory Bird Treaties? | | | | X | |
| Is or would be used as habitat by other migratory birds that cross state lines? | | | | X | |
| Is or would be used as habitat for endangered species? | | X | | | |
| Is used to irrigate crops sold in interstate commerce? | | X | | | |

¹Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

TYPE OF DETERMINATION:

Preliminary __ Or Approved X.

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 – site conditions; paragraphs 2-3 – rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 – site information on waters of the U.S. occurring onsite): See Field Notes